

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 5**

HBC MANAGEMENT SERVICES, INC.

Employer

and

Case 05-RC-369948

GOVERNED UNITED SECURITY  
PROFESSIONALS

Petitioner

and

UNION RIGHTS FOR SECURITY OFFICERS

Intervenor

**DECISION AND ORDER DISMISSING PETITION AND  
WITHDRAWING NOTICE OF REPRESENTATION HEARING**

On July 23, 2025, Governed United Security Professionals (Petitioner) filed the petition in this case seeking to represent all armed and unarmed sergeants and [security] officers employed by HBC Management Services, Inc., (the Employer) at the Social Security Administration's National Support Center (NSC) facility currently located at 8999 Bennett Creek Boulevard, Urbana, Maryland (the NSC facility). During the preliminary administrative investigation of the petition, the undersigned learned that on or about July 18, 2025, the Employer succeeded AmeriGuard Security Services, Inc., as the contractor providing security services at the NSC facility. AmeriGuard's employees were represented by Union Rights for Security Officers (Intervenor), and AmeriGuard and the Intervenor were parties to a collective-

bargaining agreement effective by its terms from December 1, 2021, until September 28, 2024.<sup>1</sup>

A majority of the employees hired by the Employer were among those previously employed by AmeriGuard at the NSC facility. The Employer has continued to engage in business operations substantially similar to those that AmeriGuard performed. The evidence obtained by the Region tends to show that the Employer is a successor within the meaning of *NLRB v. Burns International Security Services*, 406 U.S. 272, 294–295 (1972) and thus is obligated to recognize and bargain with the Intervenor over the employees' terms and conditions of employment.

In *UGL-UNICCO Service Co.*, 357 NLRB No. 76 (2011), the Board overruled *MV Transportation*, 337 NLRB 770 (2002), and returned as modified to the successor-bar doctrine previously set forth in *St. Elizabeth Manor, Inc.*, 329 NLRB 341 (1999). This doctrine provides that when an employer hires a majority of employees from the predecessor and those employees perform substantially the same work, the employer is a successor and, as such, has an obligation to bargain with the incumbent representative. In *UGL-UNICCO*, the Board held that a successor bar will apply where a "successor has abided by its legal obligation to recognize an incumbent union, but where the 'contract bar' doctrine is inapplicable, either because the successor has not adopted the predecessor's collective-bargaining contract or because an agreement between the union and successor does not serve as a bar under the existing rules." *UGL-UNICCO* slip op. at 8. The Board continued by stating that in such cases the incumbent union "is entitled to a reasonable period of bargaining, during which no question concerning representation that challenges its majority status may be raised through a petition for election filed by employees, by the employer or by a rival union." *Ibid.* Depending on whether the successor adopts the existing terms and

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<sup>1</sup> AmeriGuard and the Intervenor also entered into an Amendment to the collective-bargaining agreement on or about September 17, 2024, effective September 29, 2024.

conditions of employment as a starting point for bargaining, a reasonable period is defined as between six months and one year, measured from the first bargaining meeting. *Id.* slip op. at 9.

On August 1, 2025, I issued a Notice to Show Cause, requiring that cause be shown, on or before August 6, 2025, why the instant petition should not be dismissed as barred, in accordance with the Board's successor-bar doctrine. On August 6, 2025, the Petitioner responded to the Notice to Show Cause.<sup>2</sup> In its response, the Petitioner did not contest any of the evidence outlined in the Notice to Show Cause. Rather, it asserted that an election should be held because (1) "the rule of law has changed several times in the last few years;" (2) the Petitioner maintains a showing of interest collected from employees of AmeriGuard and the Employer, and the showing of interest was presented before "the contract bar rule expired;" and (3) there is sufficient time to conduct an election. On the last point, the Petitioner notes that there had been a successful deauthorization election conducted at the same work location in Case 05-UD-365318.

After considering the results of the administrative investigation into this petition and the Petitioner's response to the Notice to Show Cause, I have decided to dismiss the petition as barred, in accordance with the current law of the Board's successor-bar doctrine. The facts surrounding the instant petition establish that the Intervenor's period of insulation from a challenge to its majority status of employee support has not expired. The petition was filed on July 23, 2025, and the parties have not yet begun bargaining. Regarding the Petitioner's argument "the rule of law has changed several times in the last few years," I am assuming the Petitioner's statement to be a claim that the Board's successor-bar doctrine has been subject to change over the last few years. The successor-bar doctrine set forth in *UGL-UNICCO* has remained unchanged since 2011. While

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<sup>2</sup> The Employer and Intervenor did not respond to the Notice to Show Cause.

parties may have argued and may continue to argue for changes to the Board's successor-bar doctrine, *UGL-UNICCO* remains extant Board law, and I must adhere to such precedent.

With respect to the Petitioner's argument that it maintains a showing of interest collected from employees of AmeriGuard and the Employer, and that the showing of interest was presented before "the contract bar rule expired," this argument likewise fails to establish the instant petition is not barred. At the outset, I must note that while the Intervenor and AmeriGuard were parties to a collective-bargaining agreement, no party to this proceeding has asserted that the processing of this petition is barred by a collective-bargaining agreement. Furthermore, the fact that the Petitioner secured and submitted showings of interest from employees of both AmeriGuard and the Employer in no way negates the aforementioned evidence of a successor bar.

Lastly, the Petitioner's argument that there is sufficient time to conduct an election and its citation to the prior election held in Case 05-UD-365318 do not lead me to conclude that dismissal of this petition is unwarranted. There may be sufficient time to conduct an election in this matter, and I can confirm an election was conducted under my supervision in Case 05-UD-365318.<sup>3</sup> However, these truths do not mean an election can be conducted, under current Board law, in the face of a valid successor bar.

Accordingly,

**IT IS HEREBY ORDERED** that the petition is dismissed and the Notice of Representation Hearing previously issued in this matter is withdrawn.

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<sup>3</sup> I take administrative notice of the deauthorization election conducted in Case 05-UD-365318. The election involved unit employees who were then employed by AmeriGuard at the NSC facility. The election began on June 3, 2025, and I certified the results of the election on July 2, 2025.

### **RIGHT TO REQUEST REVIEW**

Pursuant to Section 102.71(a) of the Board's Rules and Regulations, you may obtain a review of this action by filing a request with the Executive Secretary of the National Labor Relations Board. The request for review must conform to the requirements of Section 102.71(c) of the Board's Rules and Regulations and must be filed by **August 27, 2025**.

A request for review may be E-Filed through the Agency's website but may not be filed by facsimile. To E-File the request for review, go to [www.nlrb.gov](http://www.nlrb.gov), select E-File Documents, enter the NLRB Case Number, and follow the detailed instructions. If not E-Filed, the request for review should be addressed to the Executive Secretary, National Labor Relations Board, 1015 Half Street SE, Washington, DC 20570-0001, and must be accompanied by a statement explaining the circumstances concerning not having access to the Agency's E-Filing system or why filing electronically would impose an undue burden. A party filing a request for review must serve a copy of the request on the other parties and file a copy with the Regional Director. A certificate of service must be filed with the Board together with the request for review.

Dated at Baltimore, Maryland this 13<sup>th</sup> day of August 2025.

(SEAL)

/s/ *Sean R. Marshall*

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Sean R. Marshall, Regional Director  
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